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THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

MICHAEL A. CARDOZO
Corporation Counsel

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October 4, 2005

BY ECF AND BY FACSIMILE

The Honorable Cheryl L. Pollak
United States Magistrate Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Henderson v. The City of New York, et al.,
Civil Action Number: 05 CV 2588 (FB) (CLP)
NYCLIS Number: 05-LE-000160

Dear Judge Pollak:

I am the Assistant Corporation Counsel, in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, assigned to the above-referenced matter. With plaintiff's consent, I write to respectfully request that the defendants' time to respond to the complaint be extended three weeks from October 10 until October 31, 2005 and that the initial conference scheduled for October 13 be adjourned until after October 31, 2005. This is the City's third request for an enlargement of time.¹

Although I have been diligent in my efforts, I have not yet been able to obtain all of the necessary records from the Police Department needed to investigate plaintiff's allegations and appropriately respond to the complaint. In addition, this extension of time is needed for the

¹ On June 20, 2005, Your Honor granted the request of Chad I. Rosenthal, the Assistant Corporation Counsel formerly assigned to this case, for a sixty day extension of time to respond to the complaint once an amended complaint was filed. Due to Mr. Rosenthal's departure from the Law Department, this case was reassigned to me in late July, and on August 4, 2005, Your Honor granted my request to extend defendants' time to respond to the complaint sixty days, from August 10 until October 10, 2005.

Corporation Counsel's Office to finalize its determinations whether to represent each individual defendant pursuant to § 50-k of the New York General Municipal Law.

I thank Your Honor for your consideration of this request.

Respectfully submitted,

Joanna R. Helferich

Joanna R. Helferich (JH 2828)
Assistant Corporation Counsel

cc: Jeffrey L. Goldberg, P.C.
Attorneys for Plaintiff
2001 Marcus Avenue, Suite S10
Lake Success, NY 11042
Attn: Eric Sanders

*Request granted
Conference adjourned
to 11/9 at 4:00 p.m.*

So Ordered

*U WSMJ
10/5/05*



THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007
FACSIMILE TRANSMISSION

TO: The Honorable Cheryl L. Pollak
Eric Sanders, Esq.

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DATE: October 4, 2005

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Message: Please see attached letter.

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